

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
Request for Special Temporary Authority Using Earth Station KL92

1. Applicant

Name:	Intelsat License LLC	Phone Number:	202-944-7848
DBA Name:		Fax Number:	202-944-7870
Street:	c/o Intelsat Corporation 3400 International Drive, N.W.	E-Mail:	susan.crandall@intelsat.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20008 -3006
Attention:	Susan H. Crandall		

30 days "With Condition"


File # SES-STA-20130722-00655

Call Sign KL92 **Grant Date** 08/21/2013

(or other identifier)

From 08/21/2013 **To** 09/30/2013

Approved: *M. E. [Signature]*



GRANTED
International Bureau

Applicant: Intelsat License LLC
Call Sign: KL92
File No.: SES-STA-20130722-00655


Intelsat is granted, under the following conditions, special temporary authority for 30 days to use its earth station at Hagerstown, Maryland to provide launch and early orbit phase (LEOP) services for the French licensed Eurobird-25B satellite at its permanent orbital location 25.5° E.L. The satellite is expected to be launched on August 22, 2013.

1. Uplink to Eurobird-25B satellite on 14250.0 MHz, 14000.0 MHz, 14001.0 MHz, and 14499.8 MHz (LHCP) within coordinated emission and power limits.
2. Downlink from Eurobird-25B satellite on 11199.8 MHz, 11698.5 MHz (RHCP).
3. The LEOP operations must be coordinated with all operators of satellites that use the same frequency bands and are in the LEOP path. All operators of satellites in that path will be provided with an emergency phone number where the licensee can be reached in the event that harmful interference occurs. Currently the 24x7 contact information for the mission is as follows:

- (202) 944-7701 -East Coast Operations Center (primary);
- (310) 525-5900- West Coast Operations Center (back-up).

Request to speak with Harry Burnham or Kevin Bell.

4. All operations shall be on an unprotected and non-harmful interference basis, Intelsat License LLC, KL92, shall not cause harmful interference to, and shall not claim protection from, interference caused to it by any other lawfully operating station and it shall cease transmission(s) immediately upon notice of such interference.
5. All operations under this grant of special temporary authority must be on an unprotected and non-harmful interference basis, *i.e.*, Intelsat must not cause harmful interference to, and shall not claim protection from interference caused to it by, any other lawfully operating station.
6. In the event of any harmful interference under this grant of special temporary authority, Intelsat must cease operations immediately upon notification of such interference, and must inform the Commission, in writing, immediately of such an event.
7. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at Intelsat License LLC's risk.
8. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.P.R. § 0.261, and is effective immediately.

 GRANTED International Bureau	File# <u>SES-STA-20130722-00655</u>
	Call Sign <u>KL92</u> Grant Date <u>08/21/2013</u> (or other identifier)
	Term Dates From <u>08/21/2013</u> To: <u>09/20/2013</u>
	Approved: <u>Paul E. Hays</u>

2. Contact	
Name: Susan H. Crandall	Phone Number: 202-944-7848
Company: Intelsat Corporation	Fax Number: 202-944-7870
Street: 3400 International Drive, N.W.	E-Mail: susan.crandall@intelsat.com
City: Washington	State: DC
Country: USA	Zipcode: 20008 -3006
Attention:	Relationship: Legal Counsel
(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)	
3. Reference File Number or Submission ID	
4a. Is a fee submitted with this application?	
<input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).	
<input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee	
<input type="radio"/> Other (please explain):	
4b. Fee Classification CGX - Fixed Satellite Transmit/Receive Earth Station	
5. Type Request	
<input checked="" type="radio"/> Use Prior to Grant	<input type="radio"/> Change Station Location <input checked="" type="radio"/> Other
6. Requested Use Prior Date	
7. CityCastle Rock	8. Latitude (dd mm ss.s h) 39 16 38.0 N

9. State	CO	10. Longitude (dd mm ss.s h)	104 48 25.0	W
11. Please supply any need attachments.		Attachment 2: Exhibit A		
Attachment 1: STA Request		Attachment 3: Exhibit B		
12. Description. (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)				
<div style="border: 1px solid black; padding: 5px;"> <p>Intelsat License LLC herein requests a grant of Special Temporary Authority for 30 days, commencing August 22, 2013, to use its Castle Rock, Colorado Ku-band earth station, call sign KL92, to provide launch and early orbit phase services for the Eurobird-25B satellite that is expected to be launched on August 22, 2013.</p> </div>				
13. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes.				
<p style="text-align: center;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </p>				
14. Name of Person Signing		15. Title of Person Signing		
Susan H. Crandall		Asst. General Counsel, Intelsat Corporation		
<p style="text-align: center;">WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).</p>				

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

July 22, 2013

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554



Re: Request for Special Temporary Authority
Castle Rock, Colorado Earth Station KL92

Dear Ms. Dortch:

Intelsat License LLC (“Intelsat”) herein requests a grant of Special Temporary Authority (“STA”)¹ for 30 days, commencing August 22, 2013, to use its Castle Rock, Colorado Ku-band earth station -- call sign KL92 -- to provide launch and early orbit phase (“LEOP”) services for the Eurobird-25B satellite that is expected to be launched on August 22, 2013.² The LEOP period is expected to last approximately 10 days.³

The Eurobird-25B LEOP operations will be performed in the following frequencies: 14250.0 MHz, 14000.5 MHz, 14001.0 MHz, and 14499.8 MHz (uplink, LHCP) and 11199.8 MHz and 11698.6 MHz (downlink, RHCP). The LEOP operations will be coordinated with all operators of satellites that use the same frequency bands and are in the LEOP path. All operators of satellites in that path will be provided with an emergency phone number where the licensee can be reached in the event that harmful interference occurs.

The 24x7 contact information for the Eurobird-25B LEOP mission is as follows:

Ph.: (202) 944-7701 – East Coast Operations Center (primary)
(310) 525-5900 – West Coast Operations Center (back-up)

Request to speak with Harry Burnham or Kevin Bell.

¹ Intelsat has filed its STA request, an FCC Form 159, a \$180.00 filing fee and this supporting letter electronically via the International Bureau’s Filing System (“IBFS”).

² The permanent orbital location for Eurobird-25B, which is licensed by France, will be 25.5° E.L. The in-orbit testing location will be 31.7° E.L.

³ Intelsat is seeking authority for 30 days to accommodate a possible launch delay.

Ms. Marlene H. Dortch
July 22, 2013
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In addition, Intelsat attaches Exhibits A and B, which contain waiver requests. In the extremely unlikely event that harmful interference should occur due to transmissions to or from its earth station, Intelsat will take all reasonable steps to eliminate the interference. Intelsat also notes that for purposes of the Eurobird-25B LEOP mission, it is seeking to operate in the frequencies listed in the request at a maximum input power level not to exceed 28.32 dBW.

Intelsat does not seek protection for its KL92 earth station with respect to receive operations in the 11698.6 MHz frequencies. To the extent necessary, Intelsat includes herewith as Exhibit B a waiver request regarding the requirement in footnote NG104 of the FCC's rules limiting use of these frequencies to international services.

Finally, Intelsat clarifies that during the Eurobird-25B launch, the spacecraft will be controlled by Space Systems Loral, which is the satellite's manufacturer and the manager of the launch mission. Space Systems Loral will build and send the commands to the Intelsat antenna, which will process and execute the commands. Telemetry received by Intelsat will be forwarded to Space Systems Loral. Intelsat will remain in control of the baseband unit, RF equipment, and antenna.

Grant of this STA request will allow Intelsat to help launch the Eurobird-25B satellite to the 25.5° E.L. location. This, in turn, will help provide new capacity at that location and thereby promote the public interest.

Please direct any questions regarding this STA request to the undersigned at (202) 944-7848.

Respectfully submitted,



Susan H. Crandall
Assistant General Counsel
Intelsat Corporation

Cc: Paul Blais

Exhibit A

PETITION FOR WAIVER OF SECTIONS 25.137 AND 25.114

Pursuant to Section 25.137 of the Federal Communications Commission's ("Commission" or "FCC") rules, earth station applicants "requesting authority to operate with a non-U.S. licensed space station *to serve the United States*" must demonstrate that effective competitive opportunities exist and must provide the same technical information required by Section 25.114 for U.S.-licensed space stations.¹ Intelsat License LLC ("Intelsat") herein seeks authority to provide launch and early orbit phase ("LEOP") services -- not commercial services -- to the United States, and thus believes that Section 25.137 does not apply.²

To the extent the Commission determines, however, that Intelsat's request for authority to provide LEOP services on a special temporary basis is a request to serve the United States with a non U.S.-licensed satellite, Intelsat respectfully requests a waiver of Sections 25.137 and 25.114 of the Commission's rules.³ The Commission may grant a waiver for good cause shown.⁴ The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.⁵ In granting a waiver, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.⁶ Waiver is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.

In this case, good cause exists for a waiver of both Section 25.137 and Section 25.114. With respect to Section 25.114, Intelsat seeks authority only to provide LEOP services for the Eurobird-25B satellite. The information sought by Section 25.114 is not relevant to LEOP services. Moreover, Intelsat does not have -- and would not easily be able to obtain -- such information because Intelsat is not the operator of the Eurobird-25B satellite, nor is Intelsat in contractual privity with that operator. Rather, an affiliate of Intelsat has a contract with Space Systems Loral, the manufacturer of the Eurobird-25B satellite, to conduct LEOP services for the satellite.

The information that Intelsat is not including is not required to determine potential harmful interference. The Schedule S information for this satellite would pertain to the operation of the Eurobird-25B satellite at its final orbital location. However, the present application for LEOP services involves communications *prior* to the satellite attaining its final location in the

¹ 47 C.F.R. § 25.137 (emphasis added).

² See *EchoStar Satellite Operating Company Application for Special Temporary Authority Related to Moving the EchoStar 6 Satellite from the 77° W.L. Orbital Location to the 96.2° W.L. Orbital Location, and to Operate at the 96.2° W.L. Orbital Location*, DA 13-593, File No. SAT-STA-20130220-00023 (released Apr. 1, 2013) (noting that operating TT&C earth stations in the United States with a foreign-licensed satellite does not constitute "DBS service").

³ 47 C.F.R. §§ 25.137 and 25.114.

⁴ 47 C.F.R. § 1.3.

⁵ *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) ("*Northeast Cellular*").

⁶ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

geostationary orbit. In other words, during the LEOP mission, the earth station will not be communicating with a satellite located in the geostationary orbit. Rather, it will be transmitting to a satellite traveling on its “transfer orbit” or “LEOP path”, which starts immediately following its separation from a launch vehicle, and ends when the satellite reaches its geostationary orbital location. Moreover, as with any STA, Intelsat will perform the LEOP services on a non-interference basis.

Because it is not relevant to the service for which Intelsat seeks authorization, and because obtaining the information would be a hardship, Intelsat seeks a waiver of all the information required by Section 25.114. Intelsat has provided in this STA request the required technical information that is relevant to the LEOP services for which Intelsat seeks authorization.

Good cause also exists to waive Section 25.137. Section 25.137 is designed to ensure that “U.S.-licensed satellite systems have effective competitive opportunities to provide analogous services” in other countries. Here, there is no service being provided by the satellite; it is simply being placed in its orbital location after separating from the launch vehicle. Thus, the purpose of the information required by Section 25.137 is not implicated here. For example, Section 25.137(d) requires earth station applicants requesting authority to operate with a non-U.S.-licensed space station that is not in orbit and operating to post a bond.⁷ The underlying purpose in having to post a bond—*i.e.*, to prevent warehousing of orbital locations by operators seeking to serve the United States—would not be served by requiring Intelsat to post a bond in order to provide approximately 10 days of LEOP services to the Eurobird-25B satellite.

It is Intelsat’s understanding that Eurobird-25B is licensed by France, which is a WTO-member country. It is also Intelsat’s understanding that at its permanent orbital location of 25.5° E.L., Eurobird-25B will not serve the United States. Thus, the purposes of Section 25.137—to ensure that U.S. satellite operators enjoy “effective competitive opportunities” to serve foreign markets and to prevent warehousing of orbital locations serving the United States—will not be undermined by grant of this waiver request.

Finally, Intelsat notes that it expects to operate with the Eurobird-25B satellite using its U.S. earth station for a period of approximately 10 days. Requiring Intelsat to obtain copious technical and legal information from an unrelated party, where there is no risk of harmful interference and the operations will cease after approximately 10 days, would pose undue hardship without serving underlying policy objectives. Given these particular facts, the waiver sought herein is plainly appropriate.

⁷ See 47 C.F.R. §25.137(d)(4).

Exhibit B

Request for Waiver of Footnote 2 of Section 25.202(a)(1) and Footnote NG104 of the U.S. Table of Allocations

To the extent necessary, Intelsat also requests waiver of Section 25.202(a)(1) and Footnote NG104 of the U.S. Table of Allocations, which restrict the use of the 11450-11700 MHz band by the non-federal fixed satellite service in the geostationary orbit to international systems only.¹ Good cause exists to waive the international systems only requirement for the 11450-11700 MHz frequency band. The purpose of NG104 and footnote 2 of Section 25.202(a)(1) is to limit the number of fixed satellite service earth stations with which the co-primary fixed service would need to coordinate.² Intelsat will provide LEOP services in the 11450-11700 MHz frequency band only on a non-interference/non-protected basis and, therefore, will not need to coordinate with fixed service stations.

Moreover, grant of this waiver is consistent with the Commission's precedent. A waiver of the U.S. Table of Allocations is generally granted "when there is little potential interference into any service authorized under the Table of Frequency allocations and when the nonconforming operator accepts any interference from authorized services."³ The International

¹ See 47 C.F.R. §§ 25.202(a)(1), fn. 2 and 2.106, fn. NG104.

² See *Satellite Services*, 26 RR 2d at 1263-65 (1973). See also *EchoStar KuX Corporation Application for Authority to Construct, Launch and Operate a Geostationary Satellite Using the Extended Ku-band Frequencies in the Fixed-Satellite Service at the 83° W.L. Orbital Location*, Order and Authorization, DA 04-3162, 9 (Int'l Bur., Sept. 30, 2004) ("EchoStar 83° Waiver").

³ See *The Boeing Company*, Order and Authorization, 16 FCC Rcd 22645, 22651 (Int'l Bur. & OET 2001); *Application of Fugro-Chance, Inc. for Blanket Authority to Construct and Operate a Private Network of Receive-Only Mobile Earth Stations*, Order and Authorization, 10 FCC Rcd 2860 (Int'l Bur. 1995) (authorizing MSS in the C-band); see also *Application of Motorola Satellite Communications, Inc. for Modification of License*, Order and Authorization, 11 FCC Rcd 13952-13956 (Int'l Bur. 1996) (authorizing service to fixed terminals in bands allocated the mobile satellite service).

Bureau has found that waiving NG104 and footnote 2 of Section 25.202(a)(1) would not undermine the purpose of the rules if the party seeking a waiver: (1) will be utilizing earth stations that are receive-only in these bands and thus “not capable of causing interference into FS stations” operating in the bands and (2) agrees “to accept any level of interference from FS stations” into its receiving earth stations.⁴ Intelsat satisfies these criteria. The earth stations operating in the 11450-11700 MHz band for purposes of the Eurobird-25B LEOP mission will not transmit in these bands and Intelsat agrees to accept any level of interference into these earth stations from fixed service stations in the band. Accordingly, the earth stations operating in these bands pose no interference concerns with respect to co-frequency fixed service stations.

Finally, Intelsat notes that it expects to operate with the Eurobird-25B satellite using its U.S. earth stations only for a period of approximately ten days. Given these particular facts, the waiver sought herein is plainly appropriate.

⁴ EchoStar 83° Waiver, ¶ 13.